

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

KWIK TICKET INC., by its 50% owner  
FLORENCE SHAMAH,,

Case No. 20-cv-01201 (FB) (SJB)

Plaintiffs,  
-against-

LARRY SPIEWAK, MINDY SPIEWAK,  
MALKAH JACOBIVITS and JOEL BOIKESS,

Defendants.

**NOTICE OF MOTION TO DISMISS  
ON BEHALF OF DEFENDANT JOEL BOIKESS**

**PLEASE TAKE NOTICE** that upon the annexed Declaration of Betty Lugo dated July 9, 2021, together with the exhibits annexed thereto, and the accompanying Memorandum of Law dated July 9, 2021, Defendant, Joel Boikess, (Outside Accountant) will move this Court, before the Honorable Frederic Block, United States District Judge for the Eastern District of New York, in the Courtroom 10C, of the Federal Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, at a date and time to be determined by the Court, for an Order, pursuant to (i) Rule 12(b)(6) of the Federal Rules of Civil Procedure, granting dismissal with prejudice of Counts II, V, VI, VIII, XIII, XIV of Plaintiff's Amended Complaint as against defendant Joel Boikess and (ii) for such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's June 21, 2021 Order, any opposition briefs shall be served on or before August 9, 2021, and any reply briefs shall be served on or before August 30, 2021.

Dated: Brooklyn, New York  
July 9, 2021

By: /s/ Betty Lugo  
Betty Lugo



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